

Practitioner's Docket No. 2600/162

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brian L. Newton and Andrew L. Cote, Sr.

Application No.: 10/687,515

Group No.: 3763

Filed: 10/16/2003

Examiner: Melissa A. McCorkle

For: Positive Push Medical Valve With Internal Seal

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
3763**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[X] with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____


Signature

Date: December 30, 2005

Steven G. Saunders

(type or print name of person certifying)

** Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	
TOTAL	21	MINUS	21	= 0	x \$ 50.00	= \$	0.00
INDEP	3	MINUS	3	= 0	x \$ 200.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+ \$ 0.00	= \$	0.00
TOTAL						\$	0.00
ADDIT. FEE							

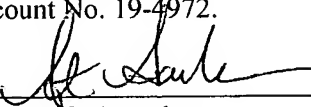
No additional fee for claims is required.

FEE DEFICIENCY

5. If any extension and/or fee is required, charge Account No. 19-4972.

If any fee for claims is required, charge Account No. 19-4972.

Date: December 30, 2005


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01600/00162 456515.1




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Newton et al. Atty. Docket: 1600/162
Serial No.: 10/687,515 Art Unit: 3763
Filing Date: October 16, 2003 Date: December 30, 2005
Invention: POSITIVE PUSH MEDICAL VALVE WITH INTERNAL SEAL Examiner: Melissa A. McCorkle

Certificate of Mailing

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December 30, 2005.


Steven G. Saunders

RESPONSE UNDER 37 CFR 1.116-EXPEDITED PROCEDURE
EXAMINING GROUP 3763

Sir:

This is in response to the office action dated October 5, 2005.

Claims are listed beginning on page 2 of this paper.

Remarks begin on page 7 of this paper.